



Public Notice

Applicant:
Oot Brothers Inc.

Date:
Published: March 8, 2004
Expires: April 6, 2004

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District **CELRB-TD-R RE:** 2003-00692(0) **Section:** NY 10 and 404

**Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).**

Oot Brothers, Incorporated, 5912 North Burdick Street, East Syracuse, New York 13057, has requested a Department of the Army (DA) permit to construct a canal and boat basin with floating docks, serving a planned unit development called Harbor Lights at Oneida Lake. The project is located off of Route 31, in the Town of Sullivan, Madison County, New York.

The project consists of the following:

1. The applicant proposes to construct a 1,700-foot long, 50-foot wide, 5-foot deep canal, and a 100,000-square foot boat docking basin. The canal and basin will connect to the lake through the adjacent Fremac Marina. The canal and basin will be constructed in the dry; therefore, only the excavation of the earthen plug between the dug channel and the existing marina basin will be jurisdictional. The construction sequence for excavation will involve excavating and stabilizing the proposed canal and basin, installing the concrete and gabion retaining walls, and leaving a 20-foot section of unexcavated earth at the west edge of the Fremac Marina, three feet above the lake level. A three-foot wide channel in the 20-foot remaining area will be excavated to a maximum depth of two feet below the lake level to fill the new canal. Once the canal is filled, a silt curtain will be installed at the west end of the existing marina. The remaining section of the earthen plug will be excavated at that time, to full canal depth (See Sheet 4 of 9). Approximately 8,000 cubic yards of soil will be removed at the earthen plug. The excavated material will be placed on-site for development fill. The banks of the earthen plug area will then be stabilized with a gabion basket retaining wall, with approximately 35 cubic yards of rock to be placed below the Ordinary High Water mark along 40 linear feet of bank (See Sheet 7 of 9). A 60-foot wide boat ramp will also be installed in the canal, but will be constructed in the dry prior to the removal of the earthen plug. Once the earthen plug is removed, the boat basin and canal will be regulated as a navigable water of the United States. (Sections 10 and 404)

2. In addition, 46 floating docks will be installed within the boat basin, and 6 floating docks will be installed within the docking area

next to the proposed restaurant (See Sheet 5 of 9). Each of the finger docks will be 30 feet long by 6 feet wide. The docks in the basin will be supported by 3 floating walkways. The two exterior walkways will be 360 feet long by 6 feet wide. The center floating walkway will be 320 feet long by 6 feet wide. The docks at the restaurant access will be supported by a 210 foot long by 6 foot wide floating walkway with 2- 14 foot long gangways to access the docks at either end of the walkway. (Section 10)

3. Two 50-foot long arched footbridges will be installed over the canal. The footbridge near the proposed restaurant will be 8 feet wide, and the footbridge near the existing marina will be 12 feet wide. Both bridges will be 17 feet above the water level. (Section 9 of the Rivers and Harbors Act)

4. To flush the excavated basin and canal with lake water, the applicant is also proposing to install a 4-inch water intake into the lake (See Sheet 6 of 9). The pipe will be laid on the bottom to a depth of 12 feet, approximately 100 feet into the lake. On land, the intake pipe will be buried below grade to a 5-horsepower, 200-gpm centrifical pump housed in an aboveground, weather-proof enclosure. Buried 2-inch and 4-inch distribution lines will carry the pumped lake water to four 2-inch outlets into the bottom of the boat basin and canal. The applicant has indicated that the water volume in the canal is calculated to be approximately 7.3 million gallons. With no other inflow from runoff, the applicant indicated that the canal could be flushed every 25 days at a continual pumping rate of 200 gpm. The intake will be installed through approximately 100 linear feet through wetland A. (Section 10 and 404)

5. Approximately 0.28 acres of wetland will be filled for the proposed development. Wetland K (0.08 acres), which is dominated by reed canary grass, and Wetland E (0.20 acres), a vegetated swale, will be impacted. Wetland E will be routed into a perimeter swale to maintain the hydrology (See Sheet 8 of 9). The applicant has indicated that there is a potential to expand Wetland B to mitigate for proposed impacts. No additional detail has been provided. (Section 404)

6. The stream at the northwest corner of the property and Wetland A will be avoided, as this area is part of the passive recreational park owned by the Town of Sullivan. No plans from the Town have been provided to the Corps at this time.

The applicant's purpose of the project is to provide boat access, up to 30 feet in length, to Oneida Lake for a 60-acre planned unit development and Town Park.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Margaret A. Crawford, who can be contacted by calling (315) 255-8090, or by e-mail at: margaret.a.crawford@usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental

Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 7413 County House Road, Auburn, New York 13021, and should be marked to the attention of Margaret A. Crawford, or by e-mail at: margaret.a.crawford@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

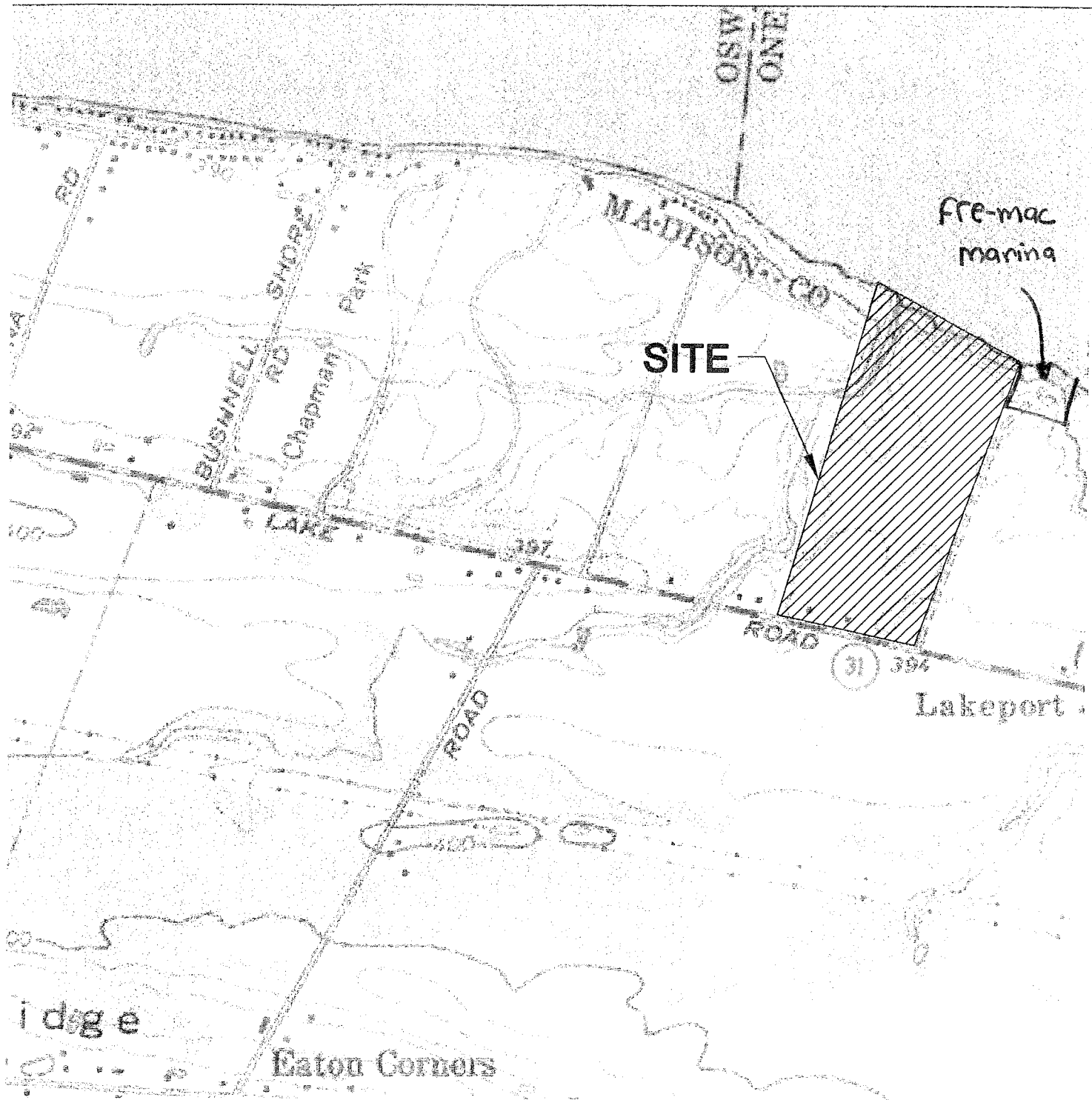
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement

pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.


for Philip D. Frapwell
Acting Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

FIGURE 1



OOT BROTHERS
D/A Processing No. 2003-00692(1)
Madison County, New York Quad: CLEVELAND
Sheet 1 of 9

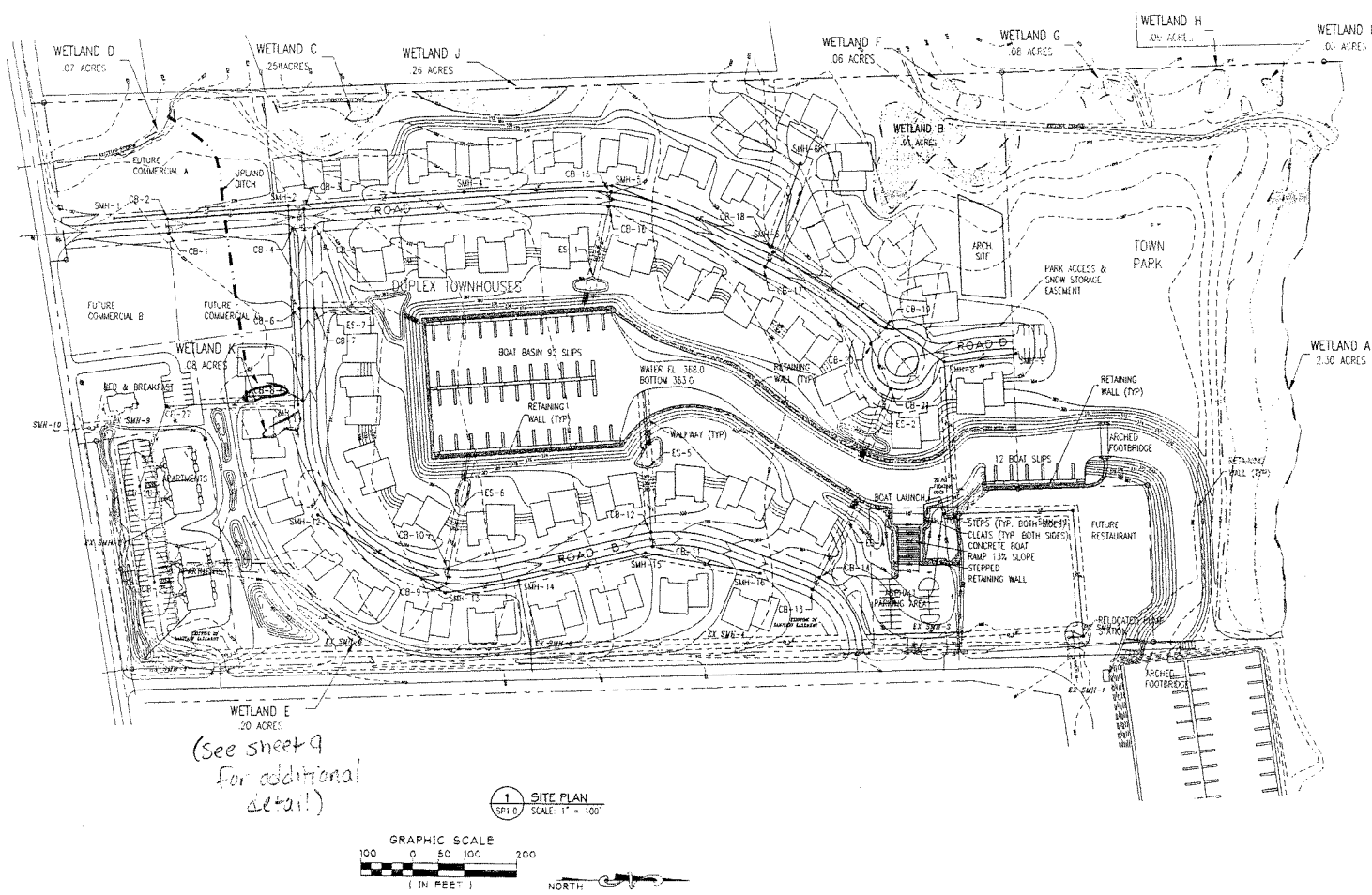
DUNN & SGROMO ENGINEERS

5800 Heritage Landing Drive
East Syracuse, New York 13057

LOCATION PLAN

Scale: 1" = 1000'
USGS 7.5 Series

1. DOCUMENTS AND COUNTY OF MADISON COUNTY, NEW YORK, 11/10/03 11:26:03



Oneida Lake
372.6 BCD

LEGEND

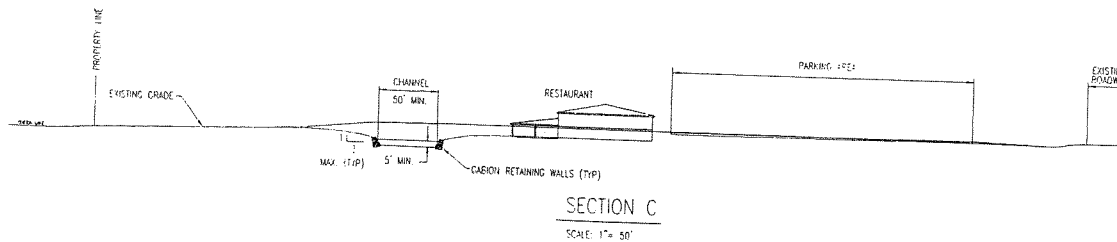
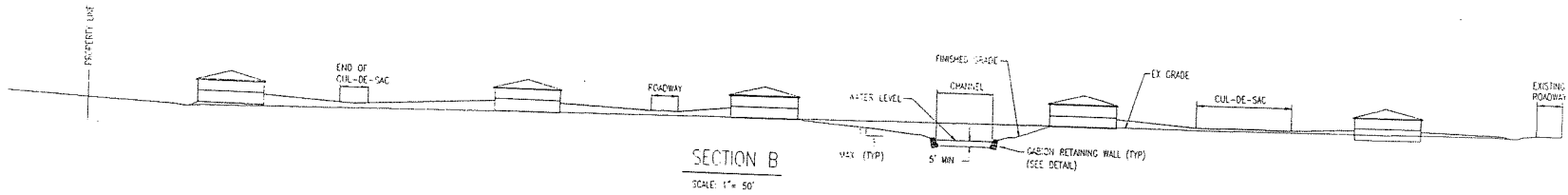
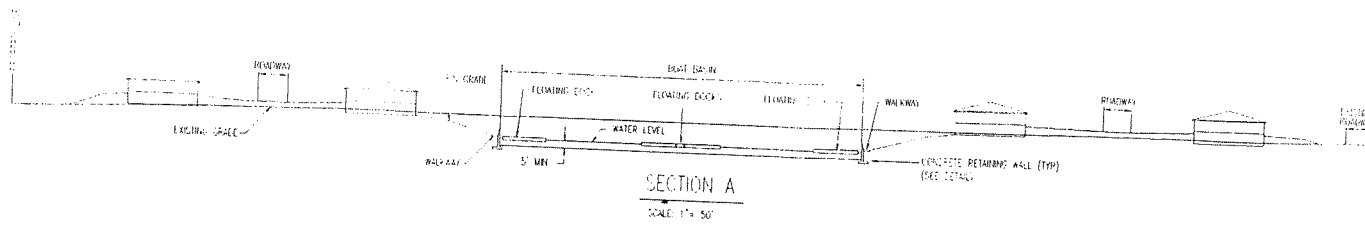
	EXISTING	PROPOSED
CONTOURS	--- 368 ---	--- 362 ---
EASEMENTS	---	---
PROPERTY LINE	---	---
SANITARY SYSTEM	--- SMH-5 ---	SMH-14
STORM SYSTEM	---	CB-2
SPOT ELEV.		+ 365.50
WATERLINE	---	---
CONCRETE & STONE/GRIT WALKWAY		--- 365.50 ---
WETLAND AREAS		---

PROGRESS PRINT 11:26:03

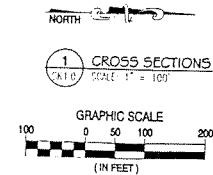
 DUNN AND SGROMO ENGINEERS E. SYRACUSE, NEW YORK 5000 HERRIDGE LANE, SUITE 100 (315) 445-4040 (315) 445-4041 FAX	SEAL	<small>IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON UNLESS ACTING UNDER A LICENSE, REGISTERED ENGINEER, TO ALTER OR REPRODUCE THIS DOCUMENT IN ANY WAY.</small>
	NOT FOR CONSTRUCTION	
TOWN OF SULLIVAN MADISON CO., N.Y. HARBOR LIGHTS AT ONEIDA LAKE	NO. DATE REVISION	ET
	SCALE AS NOTED FILE NO. 000-170 DESIGNED BY JCC/KRS DRAWN BY MDR CHECKED BY ZLL	TITLE KJ, KX, JX DATE 11/10/03 SHEET NO. 1
SITE PLAN		SP1.0

OOT BROTHERS
D/A Processing No. 2003-00692(1)
Madison County, New York Quad: CLEVELAND
Sheet 2 of 9

Proposed fill areas
Wetland K - 0.08 acres
Wetland E - 0.20 acres

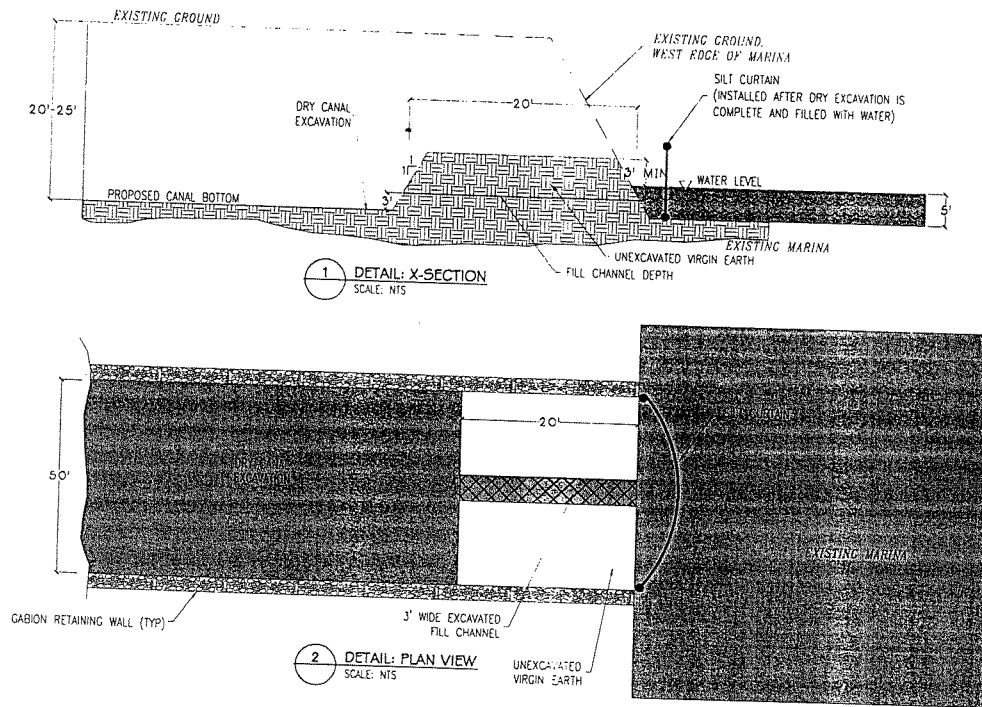


OOT BROTHERS
D/A Processing No. 2003-00692(1)
Madison County, New York Quad: CLEVELAND
Sheet 3 of 9



PROGRESS PRINT 01.24.03

DUNN AND SGROMO ENGINEERS E. SYRACUSE, NEW YORK 3000 HERSTAL LANDING DRIVE (315)449-4940 (315)449-4941 FAX		SEAL NOT FOR CONSTRUCTION IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON UNLESS ACTING UNDER A LICENSED, REGISTERED ENGINEER TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. DUNN & SGROMO ENGINEERS 2003 ALL RIGHTS RESERVED	
TOWN OF SULLIVAN MADISON CO., N.Y. HARBOR LIGHTS AT ONEIDA LAKE		NO. DATE REVISION 1. 01.24.03 1.	
CROSS SECTIONS		SCALE: AS NOTED PREPARED BY: WRI/JCD DRAWN BY: MOW CHECKED BY: JCD	FILE NO: 559.036 DATE: XX.XX.XX DRAWING NO: SK1.0



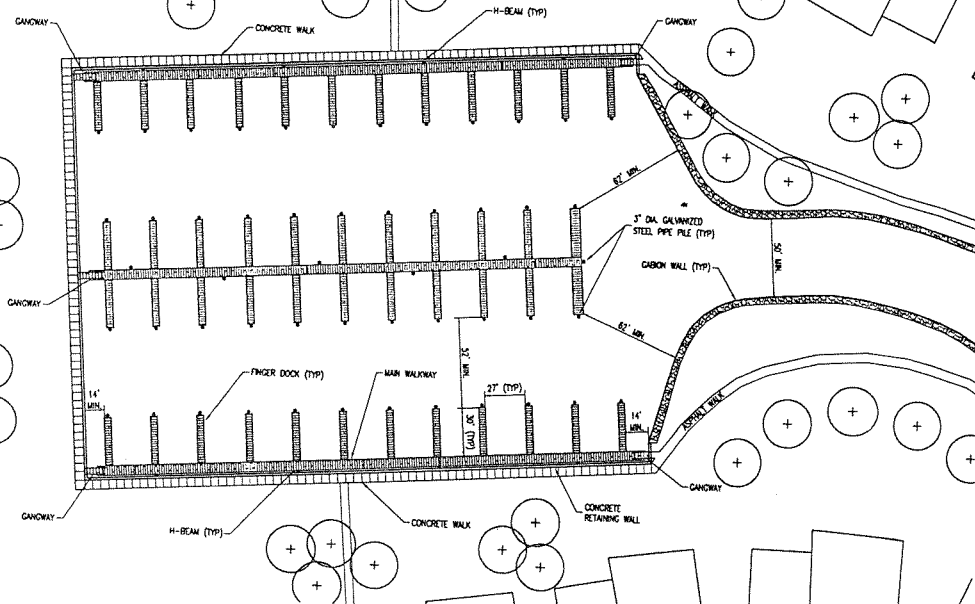
PROPOSED
CONSTRUCTION SEQUENCE
FOR
HARBOR LIGHTS CANAL EXCAVATION

1. Excavate and stabilize the proposed canal and boat yard and install concrete and gabion retaining walls in dry conditions, leaving a twenty-foot section of unexcavated virgin earth at the west edge of the existing marina three feet above the lake level (see details).
2. Install the dock systems.
3. Excavate a three-foot wide channel in the twenty-foot earth "plug" to a maximum depth of two feet below the lake level to fill the new canal (see details).
4. When the canal is filled, install a silt curtain at the west end of the existing marina.
5. Excavate the remaining section of earth to full canal depth.
6. Remove silt curtain when all silt has settled in the new canal.

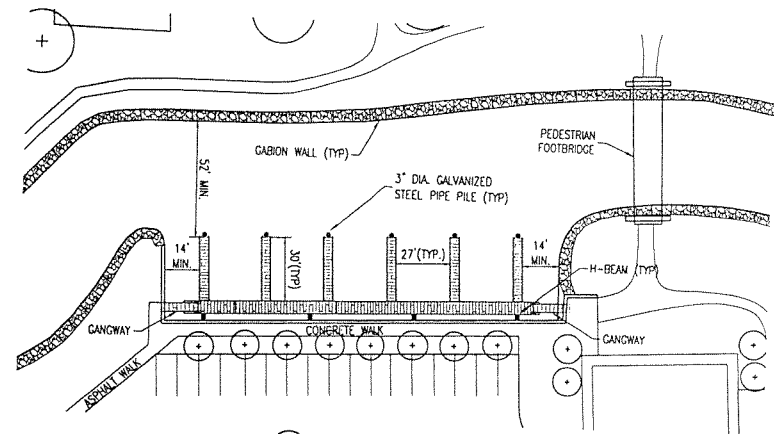
OOT BROTHERS
D/A Processing No. 2003-00692(1)
Madison County, New York Quad: CLEVELAND
Sheet 4 of 9

PROGRESS PRINT 04.14.03

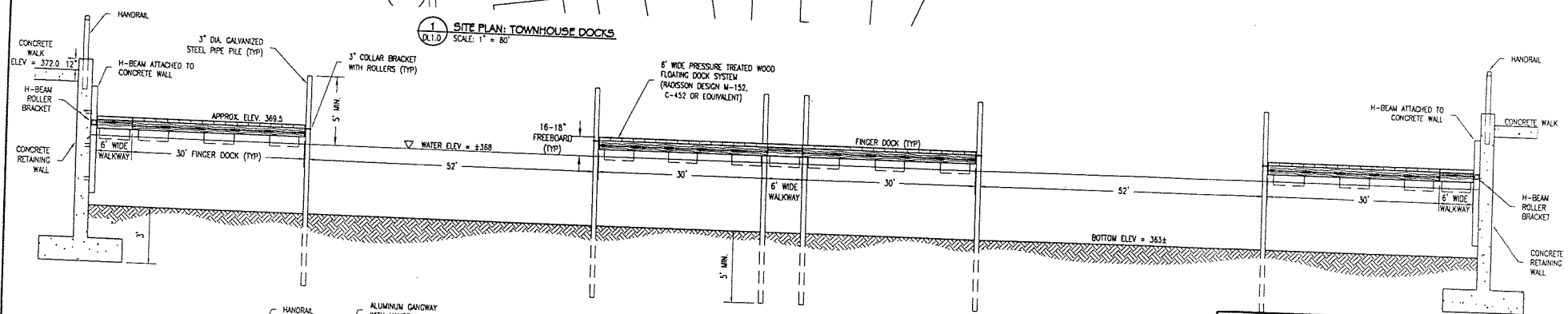
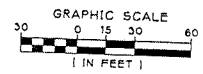
DUNN AND SGROMO ENGINEERS E. SYRACUSE, NEW YORK <small>3800 HERZOG LANDING DRIVE (315) 449-4940 (315) 449-4941 FAX</small>		<small>IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON UNLESS ACTING UNDER A LICENSED PROFESSIONAL ENGINEER TO ALTER ANY DESIGN OR SPECIFICATION IN ANY MANNER.</small>	
TOWN OF SULLIVAN MADISON CO., N.Y. HARBOR LIGHTS AT ONEIDA LAKE		<small>DATE: 04.14.03</small>	
CHANNEL EXCAVATION DETAIL & CONSTRUCTION SEQUENCE		<small>SCALE: AS NOTED</small> <small>DESIGNED BY: JCO</small> <small>DRAWN BY: N412</small> <small>CHECKED BY: JCO</small>	<small>FILE NO: 559.038</small> <small>DATE: XX.XX.XX</small> <small>SK20</small>



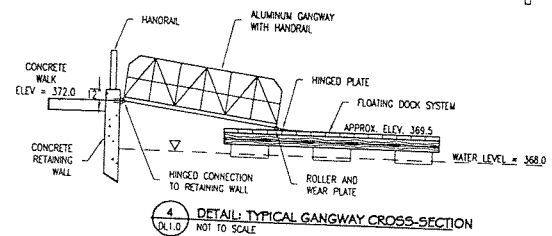
1 SITE PLAN: TOWNHOUSE DOCKS
 (X1.0) SCALE: 1" = 80'



2 SITE PLAN: RESTAURANT DOCKS
 (X1.0) SCALE: 1" = 60'



3 DETAIL: TYPICAL DOCK CROSS-SECTION
 (X1.0) NOT TO SCALE

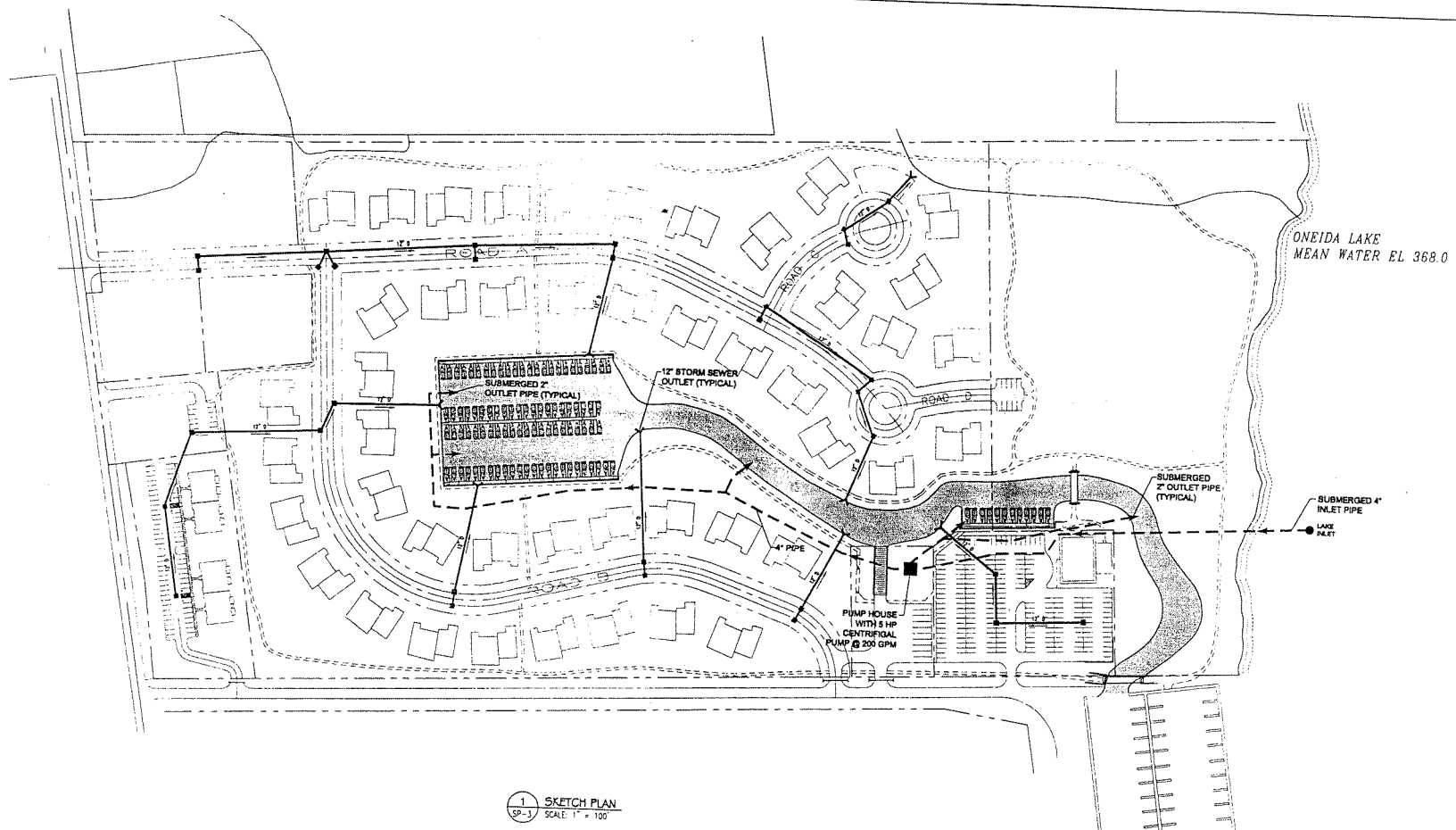


4 DETAIL: TYPICAL GANGWAY CROSS-SECTION
 (X1.0) NOT TO SCALE

OOT BROTHERS
 D/A Processing No. 2003-00692(1)
 Madison County, New York Quad: CLEVELAND
 Sheet 5 of 9

DUNN AND SGROMO ENGINEERS E. SYRACUSE, NEW YORK 5800 HERFORD LANDING DRIVE (315)445-1840 (315)445-4841 FAX		SEAL NO. DATE REVISION BY	
TOWN OF SULLIVAN MADISON CO., N.Y. HARBOR LIGHTS AT ONEIDA LAKE		NO. DATE REVISION BY	
DOCK LAYOUT & DETAILS		SCALE: AS NOTED DESIGNED BY: MOW DATE: 03.26.03 DRAWN BY: MOW DATE: 03.26.03 CHECKED BY: JCD	
		FILE NO.: 559.038 DL10	

PROGRESS PRINT 04.14.03



ONEIDA LAKE
MEAN WATER EL 368.0

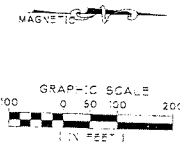
1 SKETCH PLAN
SP-3 SCALE: 1" = 100'

PROGRESS PRINT 04.14.03

LEGEND

PROPOSED STORM SEWER SYSTEM	— 12" —
PROPOSED PUMP SYSTEM	— 4" —

VOLUME OF CANAL = 7.3 MILLION GALLONS.
12" PUMP SYSTEM @ 200 GPM. CANAL CAN
BE FLUSHED EVERY 25 DAYS WITH NO
OTHER INFLOW



OOT BROTHERS
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Madison County, New York Quad: CLEVELAND
Sheet 6 of 9

<p>DUNN AND SCROMO ENGINEERS E. SYRACUSE, NEW YORK 5800 HERBERT LANDING DRIVE (315) 419-4340 (315) 419-4341 FAX</p>		<p>NOT FOR CONSTRUCTION</p>	
		<p>TOWN OF SULLIVAN MADISON CO., N.Y. HARBOR LIGHTS AT ONEIDA LAKE</p>	
<p>PROPOSED CANAL FLUSHING SYSTEM SKETCH PLAN</p>		<p>SCALE: AS NOTED</p>	<p>DATE: 05/14/03</p>
<p>DESIGNED BY: WRF/JCD</p>	<p>CHECKED BY: JCD</p>	<p>DATE: 05/14/03</p>	<p>PROJECT NO: 558.03B</p>
<p>SP-30</p>		<p>XX.XX.XX</p>	

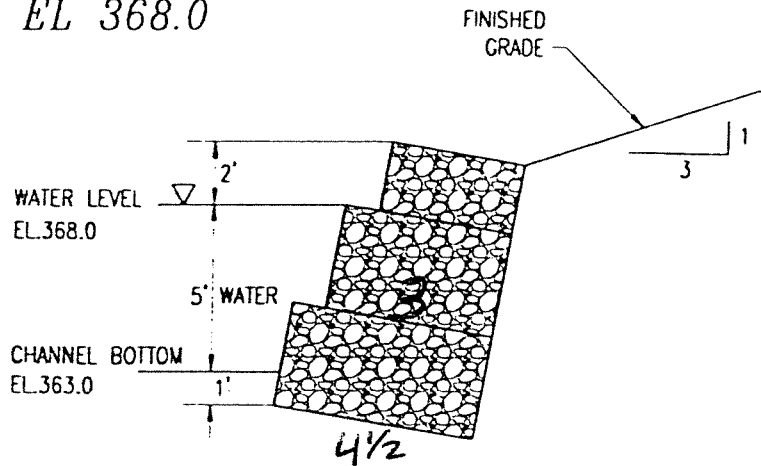
OOT BROTHERS

D/A Processing No. 2003-00692(1)

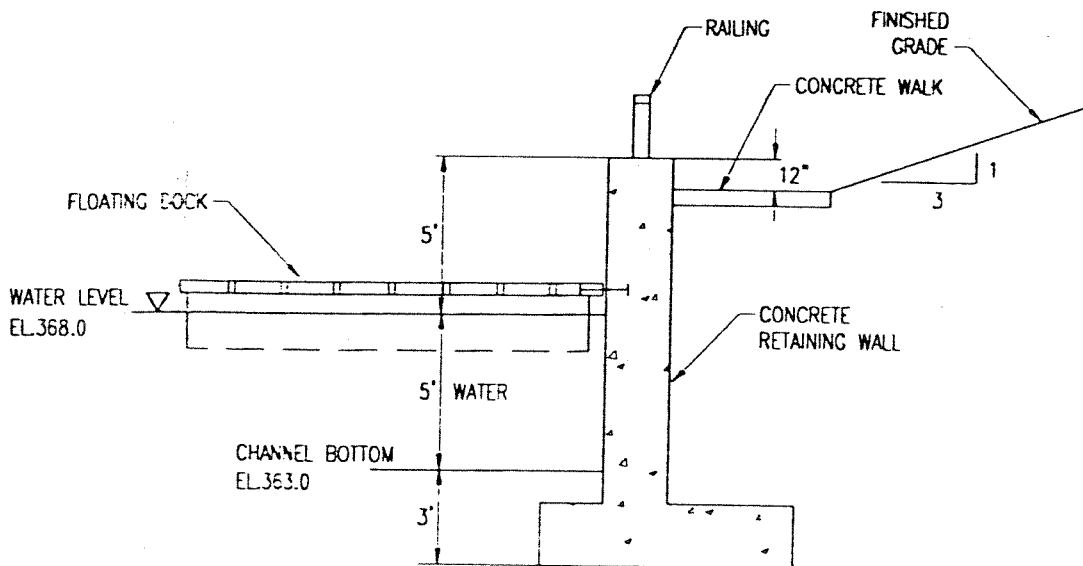
Madison County, New York Quad: CLEVELAND

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ONEIDA LAKE
MEAN WATER EL 368.0

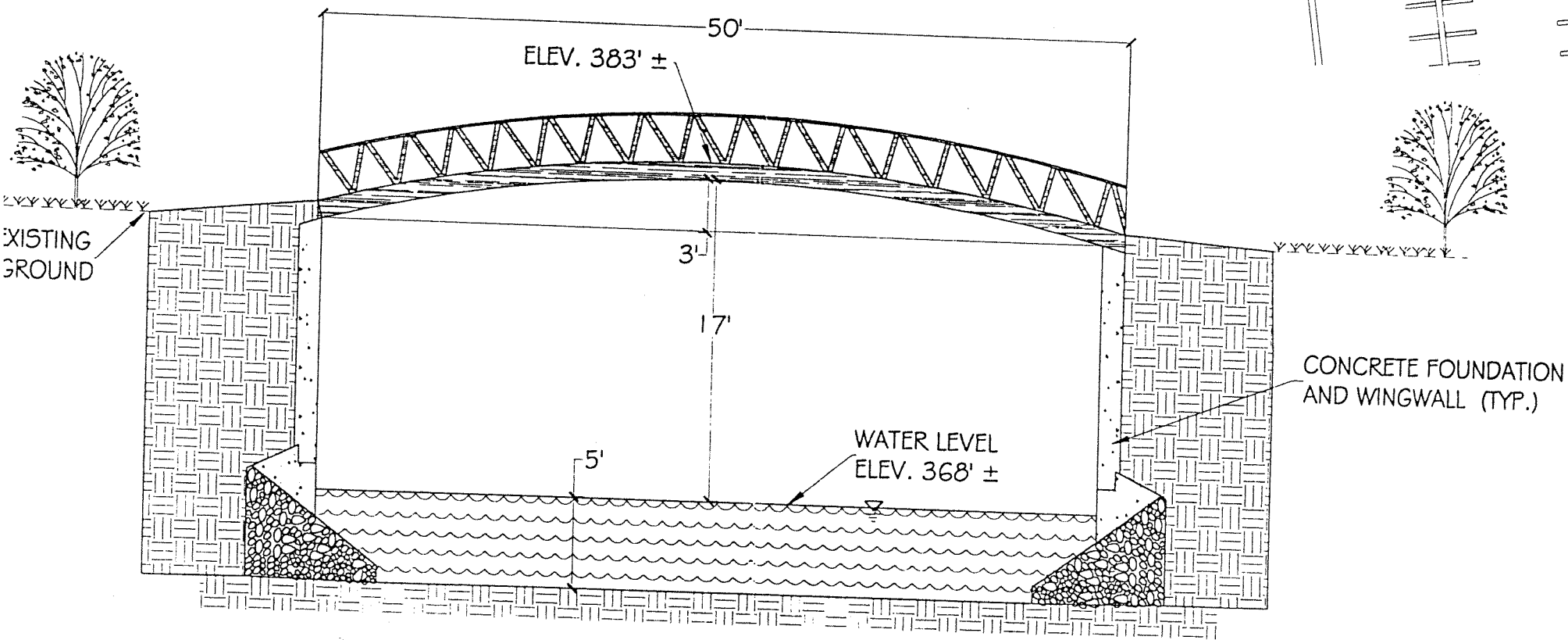
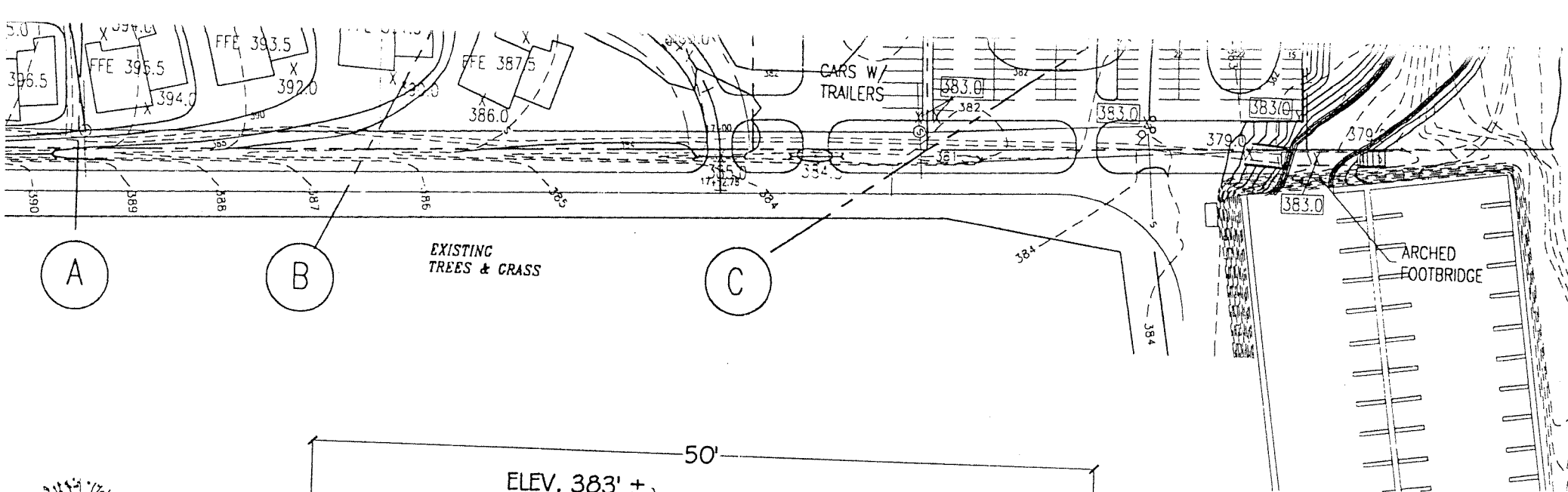


2 CHANNEL GABION RETAINING WALL
SK1.0 NOT TO SCALE



3 CONCRETE RETAINING WALL (IN DOCK AREAS)
SK1.0 NOT TO SCALE

SHORELINE



4 ARCHED FOOTBRIDGE DETAIL
SK1.0 NOT TO SCALE

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